

MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

CONFIDENTIAL

TO : Mr. Bishop

FROM : M. A. Jones

SUBJECT: NATIONAL DISTRICT ATTORNEYS ASSOCIATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

EXCEPT WHERE SHOWN
OTHERWISE

CLASS. & EXT. BY [REDACTED]
REASON-FCIM II, 1-2.4.2
DATE OF REVIEW 6-9-91

DATE: 6-9-71

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy
Mr. Beaver

CAROL VANCE

Joseph R. Busch

D.C.

On 6-8-71 Inspector Herington accompanied to the Director's Office an Executive Committee of captioned organization consisting of Past President John M. Price, Vice President Carol S. Vance, Vice President Joseph R. Busch, Assistant Treasurer Patrick J. Leahy, Board of Directors member Paul A. Klasek, and Executive Director Patrick F. Healy. As previously advised, President William B. Randall could not attend because of his wife's serious illness. Vice President John J. O'Hara and Executive Committee member Thomas R. Spellerberg who were originally scheduled to attend this meeting could not be in Washington because of other commitments.

The Director opened this conference after personally greeting each of the participants by thanking the officers of this organization for their support and for the very fine resolution adopted by the organization's Board of Directors last March. He noted that the Bureau was receiving many brickbats and it was always a pleasure to also receive some bouquets, particularly from an organization of this type. He noted the need for the FBI and law enforcement in general to have strong public support and commented on the President's statement last week indicating the President's complete support of law enforcement. The Director noted that the news media, particularly the three main television networks, and many of the larger newspapers had taken a definite anti-law enforcement attitude, that they spend a great deal of effort finding fault whenever possible and seldom print favorable information. He noted for instance that the "Los Angeles Times" was definitely anti-FBI which he attributed to the fact that Ed Guthman was now in position of leadership with that paper. He noted that Guthman had formerly been Bobby Kennedy public relations man in the Department and Guthman's present attitude grew out of an anti-Bureau attitude he developed while with the Department. The Director also noted that Warren Matthews of the "New York Times" was on its Board of Editors and even today denies that Castro is a communist although Castro has publicly admitted it.

EX-104

REC-77

94-43857-990

The Director commented on the dismissal of charges against Bobby Seale and the Black Panthers in Connecticut and said that he felt this was wrong. He stated that it may be very hard to get an impartial jury but if the Government

- 1 - Mr. Mohr
- 1 - Mr. Casper
- 1 - Mr. Bishop
- 1 - Miss Gandy
- 1 - Mr. Sullivan
- 1 - Mr. Rosen
- 1 - Mr. C. D. Brennan
- 1 - Miss Holmes

JH:mbt
(10) JUL 12 1971

CONFIDENTIAL

(CONTINUED - OVER)

UNREC COPY FILED IN 26-00-200

Memorandum to Mr. Bishop
Re: National District Attorneys Association
Meeting of Officials with Director, 6-8-71

does not have a chance to try the entire system fails. The Director said that if the police are going to do the job expected of them their investigations must be backed up with vigorous prosecutions.

The Director noted that there were many problems with courts in the country but part of the problem emanated from the Supreme Court in some of those decisions that had been rendered. He pointed out that the President's two appointments to the Supreme Court of Chief Justice Burger and Justice Harry Blackmun were excellent and indicated the President's desire to upgrade the court to gain more support for law enforcement.

The Director commented regarding the Chief Justice's speech before the American Law Institute in which the Chief Justice made a plea for "civility" in courts and in which the Chief Justice admonished those lawyers who use disruptive tactics. The Director said he had no use for such shysters as Kuntsler and Garry who spend their time blaming judges and endeavoring to cause mistrials. The Director indicated his respect for Judge Julius Hoffman who sat during the trial of the "Chicago 8" and who was faced with disruptive tactics throughout the trial. The Director indicated he felt that perhaps the contempt sentences Judge Hoffman imposed may not be upheld but he admired the Judge for his guts in handling that situation.

The Director stated that all in law enforcement, which includes the prosecutors as well, are faced with efforts to destroy their reputations.

The Director advised these men of the 11% increase in 1970 of serious crimes and particularly of the 12% increase in violent crimes across the Nation. He told them in detail of the operations of the National Crime Information Center (NCIC), how it operates, and of its success in assisting law enforcement using an interesting factual case to illustrate how fugitives can be identified in a matter of minutes.

Mr. Hoover then spoke of the Computerized Criminal History Program currently being organized by the Bureau and of the safeguards being placed in this program from the beginning to insure that information is available only to authorized agencies. He told them that there is a great "hue and cry" from many sources opposing the growing use of computers but assured the District Attorneys that the system being developed by the FBI with advice from law enforcement representatives from across the Nation will safeguard the rights of the individual.

The Director commented on the FBI headquarters presently under construction and the need for the FBI to consolidate its operations under one roof.

Memorandum to Mr. Bishop
Re: National District Attorneys Association
Meeting of Officials with Director, 6-8-71

~~CONFIDENTIAL~~

Mr. Hoover then went into the Bureau's responsibilities in the field of internal security, [noting that there were 344 known or suspected Soviet and Soviet Bloc intelligence personnel assigned to the U. S.] He then discussed the (U) Black Panther Party and its openly proclaimed program and activities in assaulting and killing police. The Director noted that in 1970 there were 159 racial incidents involving crowd violence which was a 25% increase over the prior year and that there had already been 27 racial disorders in 1971. He pointed out that a great number of Weatherman leaders were Bureau fugitives and it seemed many fugitives headed for Algeria because we have no Extradition Treaty with that country. The Director then told this delegation of the facts concerning his testimony about the East Coast Conspiracy to Save Lives before an Executive Committee of the Senate and how the Senate subcommittee released that information. The Director noted that indictments have been returned and stated that our prosecutive case was strong. He said that members of this group had become disillusioned because they had discovered that Father Philip Berrigan had misled them when he initially disclaimed any involvement in this plot.

The Director discussed attacks on police officers which had resulted in 86 police officers being killed in 1969, 100 in 1970, and 51 so far in 1971. He stated that we have been giving the full resources of the FBI to local authorities but pointed out that there had been a meeting of law enforcement officials with the President, the Attorney General, and the Director at the White House last week in which this problem was discussed. The Director said that henceforth the Bureau will, upon the request from the local department, enter into a full investigation on the killing or felonious assault of a police officer. The Director pointed out that he was opposed to a national police force and that any police department took great pride in solving its own cases involving assaults on its own personnel. Accordingly, the Director vigorously opposes legislation trying to make attacks on police a Federal crime. He said that much of this legislation goes overboard, also including attacks on firemen, judges, and even sanitation workers. He thought that these matters should remain problems for local authorities and not the FBI since every attempt to get the FBI into these cases detracts from the police or local agencies. The Director stated that the FBI wants to offer its full cooperation when a police officer is attacked but the police agency involved should remain in charge of the investigation, particularly that part of the investigation within its own jurisdiction.

The next topic was the Department of Justice policy involving Interstate Transportation of Stolen Motor Vehicle prosecutions. The Director said he hoped this organization would take an official stand opposing the Departmental guidelines since he felt that this was a matter for Federal jurisdiction. He pointed

~~CONFIDENTIAL~~

↓ ↓
(CONTINUED - OVER)

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Bishop

DATE: 6-17-71

FROM : M. A. Jones

SUBJECT: NATIONAL DISTRICT ATTORNEYS ASSOCIATION

Tolson	_____
Sullivan	_____
Mohr	_____
Bishop	_____
Brennan, C.D.	_____
Callahan	_____
Casper	_____
Conrad	_____
Dalbey	_____
Felt	_____
Gale	_____
Rosen	_____
Tavel	_____
Walters	_____
Soyars	_____
Beaver	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

It will be recalled that when the Director met with the key officers of captioned organization on 6-8-71 he discussed the Department's policy guidelines on automobile theft cases which relegate most cases to local prosecution. The Director said he hoped this organization would take an official position regarding this.

Herington has received a letter from Patrick F. Healy, Executive Director of this organization, enclosing the attached resolution which was passed by this organization in 1967 when the Department was making efforts to cut back on the prosecution of these cases federally. The resolution urges prompt and vigorous Federal prosecution of automobile theft cases where the Federal Government has jurisdiction under the Interstate Transportation of Stolen Motor Vehicle statute. This, of course, is still this organization's position.

Healy advised that officers of the organization had talked to Assistant Attorney General Will Wilson about this during the time they were in Washington urging the Department to abandon its current policy. Wilson said he thought something could be worked out. Healy said they would pursue this and keep Herington advised of any developments.

The Bureau is aware that the Department is currently studying the effects of the guidelines but there is no current indication as to whether the Department may or may not modify them.

RECOMMENDATION: For information.

Enclosure

- 1 - Mr. Mohr
- 1 - Mr. Sullivan
- 1 - Mr. Bishop
- 1 - Mr. Rosen

JH:mbk
(8)

54 JUL 1 1971

JUN 29 1971

ENCLOSURE

F324

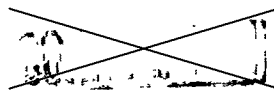
6-23-71
JWH: kmp

JUN 28 1971

LEGAL COUNSEL

UNRECORDED COPY FILED IN

Memorandum to Mr. Bishop
Re: National District Attorneys Association
Meeting of Officials with Director, 6-8-71



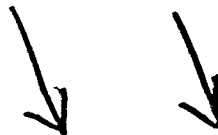
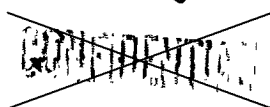
records, pointing out that we have no objection whatsoever to returning fingerprints to submitting agencies but that we simply could not send fingerprints back to "every Tom, Dick, and Harry" who asked for them.

The Director pointed out that during the past few months we had hired 1,000 new Agents and had processed them through our training program. He stated he was very pleased that two-thirds of these new Agents had served as military officers and that they were persons able to confront a problem and make decisions. He said that ability is certainly necessary for Agents who are in the field investigating their own cases and who cannot run to their superiors to keep asking for advice. He pointed out that the FBI is very tightly disciplined and that he believed there must be a high degree of discipline for all its employees because that has been a part of its success.

District Attorney Carol Vance asked the Director for his opinion of the task forces presently being sent out by the Department of Justice since a survey is being made in Houston for such a task force. The Director said that it depends entirely upon the type of area. He said there are presently 21 task forces in operation and that he had heard one was contemplated for Houston although he was not aware of any large-scale organized criminal activity in the Houston area. The Director noted, however, that Assistant Attorney General Will Wilson had the responsibility for these task forces and that he was originally from Texas, so this one may have been instigated by Wilson.

District Attorney Paul Klasen of Ephrata, Washington, stated that he came from one of the smaller jurisdictions and he wanted the Director to know how greatly he appreciated the FBI's assistance that has been given his office, particularly in furnishing FBI Laboratory experts who have often played a great role in helping him obtain successful prosecutions. The Director stated this is certainly what our Laboratory services are provided for and that he wished that the local departments would use the Laboratory to its fullest extent. He said that after all it was funded by taxpayers' money and its purpose was to provide a service for the taxpayers.

The Director commented further on several specific matters pertaining to the unjustified criticism of the FBI. He told these gentlemen of SAC Richard G. Held's (Minneapolis Office) putting Senator McGovern in his place at a Bankers Association Meeting when Held told McGovern that he was attacking the whole FBI by relying on disgruntled employees and former employees who had been misfits.



Memorandum to Mr. Bishop
Re: National District Attorneys Association
Meeting of Officials with Director, 6-8-71

~~CONFIDENTIAL~~

The Director noted that a number of news reporters today are nothing but scavengers and cited in particular Jack Anderson and Jack Nelson of the "Los Angeles Times." He said that some papers, particularly some in a few of the larger metropolitan areas, were definitely anti-law enforcement and he cited papers such as "The Washington Post," "The New York Times," "The New York Post," "The St. Louis Post-Dispatch," "The Los Angeles Times," and so forth. The Director said that he often noted that if St. Peter himself had been made head of a police department in one of those cities they would find fault with him.

District Attorney Joseph Busch of Los Angeles said that there were a number of civil rights cases being prosecuted in his area against local law enforcement officers. He stated that he thought the FBI was doing an absolutely great job and that his mentioning this was certainly no criticism of the FBI but since these cases were concentrated in his area he wondered whether this indicated that the Department might be aiming at that area. He said that he thought they had a fine police department and sheriff's office and that prosecutions of this type could do a great deal to damage the image of all law enforcement. The Director commented that the Los Angeles Police Department and the Los Angeles County Sheriff's Office were two of the finest law enforcement agencies in the country and that he thought that Chief Davis of Los Angeles was the best Chief of Police Los Angeles had had in a long time. He said that Chief Davis was at the recent meeting in the White House and that he had been very impressed with the remarks made by Chief Davis at the end of that meeting and had said that the Chief should be commended for the very fine impression that he made. The Director said that in his opinion whenever the FBI instituted an investigation in the civil rights field we should notify the head of the department because any reputable Chief is just as anxious as we are to correct any misconduct. The Director said that he could perceive no effort "to get California" but that some of the young attorneys in the Civil Rights Division of the Department were "eager beavers" and with their attitude they were hunting for spectacular cases where they could get a lot of publicity. He said that bringing cases in the Los Angeles area gave them an opportunity to use "The Los Angeles Times" which is hostile to law enforcement and thus they did get a spectacular spread.

The Director noted that some of these young attorneys in the Department he would not even consider as Agent material. The Director went into detail as to the care taken in FBI investigations and the fact that the FBI in no way makes recommendations to the Department but merely presents the results of our investigations. He noted that like in the Kent (University) investigation the Department's analysis is sometimes falsely attributed to the FBI. He pointed out that a memorandum prepared from our reports by the Department was quoted in the press as an FBI analysis and containing recommendations. The Director reiterated that the FBI does not make any recommendations or analysis of a situation. He

~~CONFIDENTIAL~~

Memorandum to Mr. Bishop
Re: National District Attorneys Association
Meeting of Officials with Director, 6-8-71

out that the Dyer Act had been enacted because of the difficulties encountered by states in prosecuting automobile cases where witnesses had to be transported great distances at state expense. He stated that it was unfair to place this burden on the states and that it was our experience that under the current guidelines many of the states are simply not fulfilling their responsibilities. In connection with the Director's comments on this point, but much later in the meeting, District Attorney John Price of Sacramento, California, pointed out that he currently has a case in which a tractor-trailer was stopped just within his jurisdiction to be weighed at which time it was discovered it was stolen in Iowa. He says he now has a case on his hands involving this tractor-trailer where his county only has interest in the fact that the rig had barely entered into his county. He felt that this has placed a great burden on him to bring witnesses all the way from Iowa and he was sure that the Iowa authorities would feel the same way. The Director said this was indeed the problem and something the Federal government can cope with because of its broad jurisdiction.

Carol S. Vance of Houston, Texas, advised that his state had endeavored to enact legislation requiring identifying numbers on numerous locations on most parts of an automobile because they had run into several cases in which car rings were stealing cars, stripping and interchanging parts to frustrate identification. He stated that this had been vigorously opposed by the auto manufacturers who stated that they would have to build cars differently for Texas and for every other state and also that it would be impossible to make foreign manufacturers comply. The Director commented that this technique would undoubtedly be of great assistance and was something that possibly could be pushed on a national level. (Our Texas offices should be familiar with this proposed legislation and should be able to furnish the General Investigative Division sufficient information for an analysis as to the desirability of encouraging such legislation on a national level.)

The Director commented on the Bureau's accomplishments in the organized crime field, noting that our investigations had led to 461 convictions of top-level hoodlums in 1970 and over 470 convictions of organized crime figures already in this fiscal year. He stated that there are an additional 1,808 organized crime figures whose cases were in various stages of prosecution.

The Director then mentioned our new training facilities under construction at Quantico, Virginia, and how, upon its completion, we will be able to greatly expand our services of training law enforcement officers. He also told these prosecutors of our great volume in the Identification Division and of the problems we are encountering because some agencies fail to submit proper dispositions. He also set forth our policy with regard to expunging fingerprint.

NATIONAL DISTRICT ATTORNEYS ASSOCIATION

THUMBNAIL SKETCHES OF OFFICERS
FOR MEETING WITH DIRECTOR 6/8/71

Honorable William B. Randall (President):

District Attorney, St. Paul, Minnesota. He was born in 1916 and admitted to the bar in 1941 after receiving his LL. B. degree from the University of Minnesota. He is currently on the Bureau's Special Correspondents List. There is no derogatory information contained in Bureau files. We have had cordial relations and correspondence with Mr. Randall including the Director's letter to him dated 3-22-71 expressing appreciation for the Association's resolution commending the Director's leadership of the FBI and of law enforcement. Mr. Randall was in the group which visited the Director's Office on 11-14-69.

WILLIAM B. RANDALL

Mr. Patrick F. Healy (Executive Director):

Mr. Healy was born in 1931 and received his LL. B. degree from DePaul University Law School in 1960. He served as Assistant United States Attorney in Chicago from 1964 until 1967. He has a very high regard for the Director and for the Bureau and our relations with him have been excellent. He is on the Special Correspondents Mailing List. Mr. Healy, as the Executive Director of the permanent staff of this organization, is an extremely hard worker who is very highly respected by the officers and directors of the Association and by many other prominent individuals outside the organization with whom he comes in contact. Healy was included in the group which visited the Director's Office in November, 1967, and November, 1969.

Mr. Carol S. Vance (Vice President):

District Attorney, Houston, Texas. He was born in 1933 and was admitted to the bar in 1957 after obtaining his LL. B. degree from the University of Texas. He is well known to the SAC in Houston and relations with him have been excellent. Bureau files contain no derogatory information concerning him. Additionally, he is the Chairman of the Law Enforcement Committee of the Criminal Law Section of the American Bar Association. Inspector Herington is Vice Chairman of that Committee.

ENCLOSURE 94-43857-989

Mr. Thomas R. Spellerberg (Executive Committee):

District Attorney, Tiffin, Ohio. Mr. Spellerberg was born in 1925 and admitted to the bar in 1951 after receiving his LL. B. and J. D. degrees from Ohio State University. He applied for the position of Special Agent in the FBI in January, 1951. His school records indicate he had been considered fit for only limited service in the military because of his eyesight. He also had a very slight speaking difficulty similar to a lisp, but although he was considered to have an excellent appearance and fine personality he was recommended only if found eligible in all other respects. Spellerberg was not employed. We have had limited cordial correspondence with him and Bureau files contain no derogatory information.

MEMBER OF SELECT ORGANIZATION

Mr. Paul A. Klasen, Jr. (Board of Directors):

District Attorney, Ephrata, Washington. He was born in 1927 and admitted to the bar in 1951 after receiving his LL. B. degree from Gonzaga University in Spokane, Washington. We have had limited cordial correspondence with him on official matters. In 1959 Assistant Director Malone reported a contact with Klasen at which time he described him as a member of this Association and said that he is a very close friend of the Bureau. Bureau files contain no derogatory information concerning him.

Mr. Patrick J. Leahy (Assistant Secretary):

District Attorney, Burlington, Vermont. Mr. Leahy was born in 1940, admitted to the bar in 1964 after receiving his LL. B. degree and his J. D. degree from Georgetown University Law School. Bureau files contain no information identifiable with Leahy and he is not known to Inspector Herington.

Mr. Joseph P. Busch, Jr. (Vice President): MEMBER OF SUBJECT ORGANIZATION

District Attorney, Los Angeles, California. He was born in 1926 and admitted to the bar in 1952 after receiving his LL. B. degree from Lumpkin Law School, Los Angeles, California. He has worked many years in the Los Angeles District Attorney's Office and was one of the top assistants under former District Attorney Evelle J. Younger, a former Special Agent who is currently Attorney General of California. For a few months prior to Younger's leaving the District Attorney's Office, Busch served as Chief Deputy. Busch is known personally to Inspector Herington and to SAC, Los Angeles. He is cordial but quite frankly leaves the impression that he is overly impressed with his own importance. This was particularly true after he gained the District Attorney's Office.

Mr. John J. O'Hara (Vice President): MEMBER OF SUBJECT ORGANIZATION

Commonwealth Attorney, Covington, Kentucky. He was born in 1922 and admitted to the bar in 1949 after receiving his LL. B. degree from the University of Kentucky. We have had cordial relations with Mr. O'Hara on matters of mutual interest.

Honorable John M. Price (Past President): MEMBER OF SUBJECT ORGANIZATION

District Attorney, Sacramento, California. Mr. Price was born in 1919 and admitted to the bar in 1949 after receiving his LL. B. degree from Boalt Hall School of Law at the University of California. Bureau files contain no derogatory information concerning him and we have enjoyed cordial relations with him. He is currently on the Special Correspondents Mailing List and was in the group which visited the Director's Office on 11-14-69, as well as with the group in November, 1967.

F B I

Date: 7/2/71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (62-587)
FROM: SAC, LOS ANGELES (56-156) (P)
SUBJECT: KENSALT

RE ALLEGATIONS REGARDING ERROR IN BALLISTIC TESTS
IN SIRHAN CASE.

Re Los Angeles teletypes to the Bureau, 6/2/71,
and 6/10/71.

Public disclosure of results of investigation by
Los Angeles District Attorney's Office into alleged error in
ballistic tests conducted on gun in SIRHAN BISHARA SIRHAN
case was originally for 6/28/71.

On 6/23/71, District Attorney JOSEPH BUSCH, JR.,
postponed release of findings of District Attorney's
investigation until 7/6/71.

On 7/2/71, Chief Deputy District Attorney JOHN E.
HOWARD advised that additional and extensive investigation
was being conducted concerning this matter and that this
office was still approximately a month away from any
definite findings.

This matter is being followed by this office.
However, any involvement in this investigation is being
avoided as request for ballistic examination by FBI has been
denied. Bureau will be kept advised.

2 - Bureau
2 - Los Angeles

AOR/ljh
(4)

EX-105

REC-32 62-587-1267

16 JUL 5 1971

Approved: **57 JUL 15 1971**
Special Agent in Charge

Sent _____ M Per _____

convinced beyond any doubt that Sirhan Bishara Sirhan killed Senator Robert Kennedy.

The origins of that murder are somewhere in the head of the man whose case is now on appeal. I can only quote the words of Senator Robert Kennedy's brother, our slain president: "Life is unfair."

LA 56-156

This, according to the press articles, explains the reason for the delay in the scheduled 7/6/71 statement concerning the alleged irregularities in the ballistic examination in the SIRHAN trial.

Set forth below is a copy of the prepared press statement of JOSEPH P. BUSCH, JR., District Attorney of Los Angeles County on 7/10/71:

LA 56-156

STATEMENT OF
JOSEPH P. BUSCH, JR., DISTRICT ATTORNEY
OF LOS ANGELES COUNTY

JULY 10, 1971

On May 28, 1971, attorney Barbara Warner Blehr made certain charges against Los Angeles Police Department criminalist DeWayne Wolfer, including the allegation that he was guilty of violating proper procedures in the ballistics investigation of Senator Robert F. Kennedy's assassination.

Mrs. Blehr's charges were contained in a letter to the City Civil Service Commission in an effort to block the appointment of Wolfer as permanent head of the police crime laboratory.

On June 4, 1971, after conferring with Police Chief Edward Davis, it was decided that this office would conduct an independent investigation of the charges since they involved a member of the police department.

Since the District Attorney's Office was responsible for the prosecution of Sirhan B. Sirhan, I felt that it was incumbent upon this office to conduct this investigation so that there would be no loss of confidence on the part of the public as to whether the facts as presented in the courtroom were correct.

Because the original exhibits were protected by a court order which would prevent their being directly handled, we felt at the outset of the investigation that we could proceed simply by determining the validity of Mrs. Blehr's charges against Mr. Wolfer.

However, we have had to delay our findings after learning that this court order protecting the exhibits has been ignored and that the exhibits have not been properly protected by the County Clerk's Office. Indeed, there is evidence the exhibits have been directly handled by numerous persons.

We are currently in the midst of an investigation to determine whether there has been any intentional or unintentional tampering with the key exhibits involved in the trial -- including the murder weapon and the bullets taken from the body of Senator Kennedy.

Although this office has launched a full investigation into this matter, I have been authorized by the Los Angeles Police Department to state that there has been no reactivation of the Special Unit Senator section which conducted the initial comprehensive probe into the Senator's assassination.

At the conclusion of our investigation we will take appropriate action and make a full report to the public.

LA 56-156

We are still confident at this point that the original investigation was thorough and that the subsequent trial outcome was valid. Our concern now is whether there has been a violation of the integrity of the exhibits. We are terribly concerned about the possibility that they have been tampered with.

LA 56-156

On 7/13 and 7/14/71, additional articles appeared in the Los Angeles press indicating that the recent disclosure concerning the handling of evidence in the SIRHAN case led to developments which focused attention on the Los Angeles County Clerk's Office.

These developments included an order to Los Angeles County Clerk [] to inspect his office for possible security breaches, to re-evaluate its control system and to inventory exhibits and transcripts from the SIRHAN trial.

b6
b7C

[] issued a statement that a personnel investigation failed to disclose any mishandling of key exhibits, although further investigation remains. [] stated that after the trial of SIRHAN was concluded Superior Court Judge HERBERT V. WALKER ordered certain key exhibits "sealed" by a court order. However, this order permitted "counsel of record" and attorneys for both the prosecution and defense, as well as agents for these attorneys, access to crucial exhibits.

[] Deputy District Attorney of Los Angeles County, advised this office that polygraph examinations were being given to employees of the County Clerk's Office and that they expect to convene a civil grand jury in approximately three weeks to make inquiries into the administrative handling of evidence by the County Clerk's Office.

b6
b7C

This investigation of the Office of the County Clerk may delay the original investigation into the alleged irregularities in the SIRHAN ballistics examination.

In a news article dated 7/24/71, information was contained that police ballistics specialist, [] had filed a suit in Superior Court, which charged that Los Angeles Attorney [] 5/28/71 letter to the City Personnel Commission intended to block [] appointment as Crime Lab Chief, was a malicious, unjustified publication of defamation and untruthful accusations.

b6
b7C

This matter is being followed by this office and the Bureau will be kept advised.

COUNTY OF LOS ANGELES

1971 GRAND JURY

548 HALL OF JUSTICE
LOS ANGELES, CALIF. 90012
629-2451

August 24, 1971

SECRETARY

MRS. MARTIN D. LINDS
MRS. MARIAN LOLS
MRS. LYDIA LOPEZ
ALBERT M. NISLO
HOLLIS M. PEAVEY
CHRISTIAN W. PLANJE
MRS. ELIZABETH J. SAKTA
MRS. ALYCE M. SISSON
MRS. DORIS Y. S. TOM
MRS. WALTER J. WATSON
MRS. SUE K. YOUNG

The Honorable Board of Supervisors
Los Angeles County
Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Gentlemen:

On August 16, 1971, the Los Angeles County Grand Jury commenced an investigation relating to the handling of the exhibits which were introduced both during the Grand Jury presentation on June 7, 1968, which resulted in the indictment of Mr. Sirhan, and during the course of the subsequent Sirhan trial. This current Grand Jury investigation took five days and over thirty-five witnesses were examined under oath. The Grand Jury desires to communicate its findings in this matter:

1. A court order was promulgated by Judge Arthur Alarcon on June 7, 1968. This order continued in effect until May 20, 1969, at which time Judge Herbert V. Walker issued a court order which stated, in substance, that the original exhibits in the Sirhan case were not to be viewed except upon order of the court. This restriction did not apply to attorneys of record. Judge Walker's court order was preceded by a conference in his chambers on May 16, 1969, which was recorded by a court reporter. Three representatives of the Clerk's Office including Mr. Peter J. Talmachoff, Chief of the Criminal Division, were present during this conference in order that the views of the two Superior Court judges would be clearly communicated and understood.

During this conference, and based upon the testimony relating thereto, it is demonstrably clear that both Judge Charles Loring and Judge Herbert V. Walker also expected that the critical ballistics evidence in the Sirhan case was to be specially packaged to preserve its integrity. This conference occurred well after all of the exhibits had been introduced into evidence and had thus come into the care, custody and control of the Los Angeles County Clerk's Office.

2. The strict terms of the court order issued by Judge Walker on May 20, 1969, governing the public review of the original Sirhan exhibits have not been consistently observed by the Office of the County Clerk.
3. The court's recommendation relating to the packaging of the ballistics evidence was totally ignored by the Office of the County Clerk despite the emphasis placed upon the fragility of such evidence during the course of the in-chambers conference.
4. The existence of Judge Walker's court order and the dissemination of its contents were disregarded to a substantial extent: some of the original Sirhan exhibits, including, but not limited to the bullets fired from Sirhan's gun, were handled by unauthorized persons on numerous occasions.
5. The handling of the original exhibits by unauthorized persons was accompanied by a general lack of adequate security precautions by the Clerk's Office personnel.
6. The County Clerk, William Sharp, by testifying that the court order of May 20, 1969, did not come to his personal attention until June of 1971, has exhibited a failure of effective communication between him and his subordinates in connection with the duties and responsibilities of his office in a unique case of historical importance. Mr. Sharp's concern with minor details of reform while overlooking major responsibilities is culpable. The department, blaming all its deficiencies on crowded conditions, has largely failed to heed the warnings and recommendations of the 1968 Grand Jury and its Audit Report. These conditions do prevail, but they cannot be an excuse for mismanagement.

7. Peter Talmachoff, Chief of the Criminal Division of the County Clerk's Office, has exhibited a failure to inform, train and supervise subordinate personnel as to the existence, specific content, effect and importance of the court order of May 20, 1969, governing the security and handling of the original Sirhan exhibits.
8. The County Clerk's management and supervisory personnel also exhibited indifference in connection with the training of new exhibit custodians, insofar as specifically advising them of the existence, content, effect and importance of the court order of May 20, 1969.
9. The official records of the Los Angeles County Clerk's Office relating to the viewing of the evidence in the cases of the People v. Sirhan B. Sirhan and People v. Jack Kirschke are incomplete, inadequate, confusing and, in some instances, simply missing.
10. Numerous pages from two photostatic copies of one of Mr. Sirhan's notebooks are missing while under the care, custody and control of the Los Angeles County Clerk's Office. The two missing copies referred to were not the copies made by the Clerk's Office for the purpose of public inspection, but rather were documents which were actually used during the course of the proceedings in Judge Walker's court. Although additional copies of these documents were, pursuant to Judge Walker's court order, reproduced by the County Clerk's Office for public inspection, these additional copies, in their entirety, cannot presently be accounted for by representatives of the Clerk's Office.
11. Due to the startling inadequacy of the official record of transactions in the County Clerk's Office hereinbefore referred to, and the lack of substantial and appropriate administrative controls, there exists a present inability on the part of the Grand Jury to fully and accurately reconstruct the events which such records should precisely reflect, thus precluding, at this time, any criminal action relating to the possible theft of those documents which are now missing and which had come into the care, custody and control of the Clerk's Office.

12. The Grand Jury wishes to express emphatically concern over the apparent ease with which documents and other items under the custody of the Office of the County Clerk can be unlawfully taken. The theft of any document from a public office should be, in itself, a matter of importance. When such thefts occur in connection with a case of historic importance, and where such documents have presumably been stored for safekeeping with an agency of local government, which is an integral part of the criminal justice system, such thefts become matters of major concern.
13. Because the exhibits under the custody of the County Clerks Office were handled, examined and photographed by unauthorized persons and mishandled by County Clerk exhibit personnel, there exists a reservation on the part of the 1971 Los Angeles County Grand Jury relating to the present integrity of the ballistics exhibits which were introduced into evidence both during the Grand Jury presentation on June 7, 1968, and during the subsequent trial of the defendant Sirhan B. Sirhan. Since this evidence is presently out of the jurisdiction of Los Angeles County, we are unable to substantiate these reservations.
14. Responsible and effective middle and upper management controls have not been consistently exhibited, exercised or demonstrated in connection with the care and handling of the Sirhan case evidence after such evidence came into the custody of the Los Angeles County Clerk. Although this Grand Jury investigation was confined to the Criminal Division of the County Clerk's Office, the performance of upper management dictates that attention should be turned to other divisions of that office.

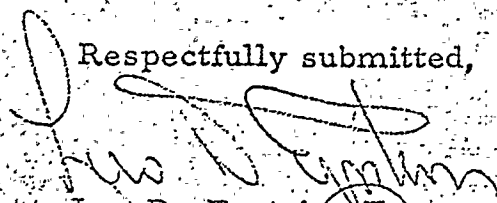
August 24, 1971

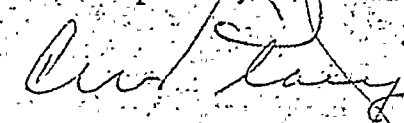
FINDINGS

THE LOS ANGELES COUNTY GRAND JURY FINDS THE EXISTENCE OF PROBABLE MISFEASANCE AND NON-FEASANCE WITH RESPECT TO THE MANAGEMENT AND OPERATION OF THE LOS ANGELES COUNTY CLERK'S OFFICE. IT IS THE FEELING OF THIS GRAND JURY THAT SUCH MANAGEMENT, IF ALLOWED TO CONTINUE, CAN ONLY WEAKEN THE INTEGRITY AND STRUCTURE OF COUNTY GOVERNMENT IN GENERAL AND DECREASE THE EFFICIENCY AND EFFECTIVENESS OF OTHER COUNTY AGENCIES WHO RELY ON THE SERVICES OF THE COUNTY CLERK'S OFFICE.

In order to assist you in your evaluation of the problems we have referred to in this letter, we have requested the court to make the entire transcript of this hearing a matter of public record.

Respectfully submitted,


Leo D. Epstein, Foreman


Christian W. Planje,
Foreman Pro Tem

1 RICHARD A. ROCHA
2 Attorney at Law
3 3135 Wilshire Blvd., 29th Floor
4 Los Angeles, Calif. 90010

5 Telephone: 388-1434

6 Attorney for Plaintiff

7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 FOR THE COUNTY OF LOS ANGELES

10
11 FERNANDO FAURA, on behalf of himself,)
12 and all other residents of the State)
13 of California,)

14 Plaintiff,

15 vs.

16 SAMUEL YORTY, Mayor of the City of Los)
17 Angeles; THE LOS ANGELES POLICE)
18 DEPARTMENT; EDWARD M. DAVIS, indivi-)
19 Equally and as Chief of Police of the)
20 City of Los Angeles, and as representa-)
21 tive of the class of members of the Los)
22 Angeles Police Department; JOSEPH P.)
23 BUSCH, JR., individually and as)
24 District Attorney of the County of Los)
25 Angeles, and as representative of the)
26 class of members of the office of the)
27 District Attorney of Los Angeles)
28 County; EVELLE J. YOUNGER, individua-)
29 ally, and as Attorney General of the)
30 State of California, and as represent-)
31 ative of the class of members of the)
32 office of the Attorney General of the)
33 State of California; ROBERT A.)
34 HOUGHTON; Los Angeles Police Officer)
35 McGANN; Los Angeles Police Officer)
36 O'STEEN; and DOES I through XX,)
37 Inclusive,)

38 Defendants.

NO. _____

COMPLAINT FOR
DISCLOSURE OF
INFORMATION

(Gov. Code Sec. 54950)

Plaintiff alleges on behalf of himself and all other

1
2
3
4
5
6
7 VERIFICATION

8 STATE OF CALIFORNIA)
9) ss.
10 COUNTY OF LOS ANGELES)

11 I am the plaintiff in the above entitled action; I have
12 read the foregoing Complaint for Disclosure of Information
13 (Gov. Code Sec. 54950) and know the contents thereof; and I
14 certify that the same is true of my own knowledge, except as to
15 those matters which are therein stated upon my information or
16 belief, and as to those matters I believe it to be true.

17 I certify (or declare) under penalty of perjury that the
18 foregoing is true and correct.

19 Executed on August 27th, 1971, at Los Angeles, California.

20
21 
22 FERNANDO PAUKA
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

III

Defendant SAMUEL YORTY is now, and, at all times mentioned, was the Mayor of the City of Los Angeles and the chief executive officer of said city. Said defendant does not have the right to decide what is good for the people to know and what is not good for them to know.

IV

Defendant LOS ANGELES POLICE DEPARTMENT is the agency and department of the City of Los Angeles, State of California, responsible for the police protection of that city within the State of California, and for the police investigations of all crimes committed within that city. Said defendant does not have the right to decide what is good for the people to know and what is not good for them to know.

V

Defendant EDWARD M. DAVIS is the Chief of Police of the City of Los Angeles, State of California. He is responsible for the supervision, control, regulation and management of the Police Department and each and every officer thereof, and for the investigation into all crimes committed within the City of Los Angeles, and, in June of 1968 as Deputy Chief of Police, particularly that investigation into the murder of Senator Robert F. Kennedy on June 5, 1968. He is empowered and has the responsibility to set policy for and to make and enforce all necessary and desirable rules and regulations of said Police Department. He is sued individually and in his capacity and as representative of the members of the defendant Police Department, who have carried out, and continue to carry out a course of conduct which has

1 suppressed, and continues to suppress important, valuable and
2 relevant information concerning the investigation into the murder
3 of Senator Robert F. Kennedy by said Police Department, and which
4 has and continues to deprive the citizens and residents of the
5 State of California of the full and uncensored information con-
6 cerning the assassination of Senator Robert F. Kennedy.

7 VI

8 Defendant JOSEPH P. BUSCH, JR. is the District Attorney
9 of the County of Los Angeles, State of California. As such, he
10 is its public prosecutor, responsible for the prosecution of all
11 public offenses. He is responsible for the supervision, control,
12 regulation and management of the office of the District Attorney,
13 and each and every member thereof, and for the trial of all
14 felonies committed within the County of Los Angeles, and, in June
15 of 1968 and thereafter as Deputy District Attorney, had
16 supervisory responsibilities with reference to that trial known
17 as "The People of the State of California vs. Sirhan Bishara
18 Sirhan", alleging the murder of Senator Robert F. Kennedy. He is
19 empowered and has the responsibility to set policy for and to
20 make and enforce all necessary and desirable rules and regulations
21 of said office of the District Attorney. He is sued individually
22 and in his capacity as representative of the members of the
23 office of the District Attorney, who have carried out and continue
24 to carry out a course of conduct which has suppressed, and con-
25 tinues to suppress important, valuable and relevant information
26 concerning the investigation of the murder of Senator Robert F.
27 Kennedy, and particularly concerning the prosecution in the trial
28 known as "The People of the State of California vs. Sirhan Bishara

1 Sirhan", and has ^{and} continues to deprive the citizens and residents
2 of the State of California of the full and uncensored information
3 concerning said murder.

4 VII

5 Defendant ROBERT A. HOUGHTON in June of 1968 was Chief of
6 Detectives of the Los Angeles Police Department and assigned the
7 duty of conducting the investigation into the death of Senator
8 Robert F. Kennedy., Said defendant is now Deputy Director of the
9 Division of Law Enforcement in charge of the Criminal Division
10 of Central Intelligence Information in the office of the Attorney
11 General of the State of California.

12 VIII

13 Defendant EVELLE J. YOUNGER is Attorney General of the
14 State of California. He is sued individually and in his capacity
15 as representative of the members of the office of the Attorney
16 General. In June of 1968, and thereafter through the trial known
17 as "The People of the State of California vs. Sirhan Bishara
18 Sirhan", he was District Attorney of Los Angeles County and was
19 responsible for the supervision, control, regulation and manage-
20 ment of the office of the District Attorney, and each and every
21 member thereof, and for the trial of all felonies committed
22 within the County of Los Angeles, and particularly the Sirhan
23 trial referred to above alleging the murder of Senator Robert F.
24 Kennedy. He is now responsible for the policy, rules and regula-
25 tions of the office of Attorney General and has carried out and
26 continues to carry out a course of conduct which has suppressed,
27 and continues to suppress, important, valuable and relevant
28 material and information concerning the facts which have been

1 gathered and the evidence available to have been presented in
2 the prosecution of Sirhan Bishara Sirhan, and has and continues
3 to deprive the citizens and residents of the State of California
4 of the full and uncensored information concerning said murder.

5 IX

6 Defendant Los Angeles Police Officer M.J. McGANN is pre-
7 sently employed by the Los Angeles Police Department and on and
8 from June 5, 1968 through the investigation and trial of Sirhan
9 Bishara Sirhan made investigations and reports regarding the
10 murder of Senator Robert F. Kennedy and made investigations into
11 a possible conspiracy with the Los Angeles Police Department
12 "Conspiracy Team".

13 Sued individually and in his capacity and as a represent-
14 ative of the members of the Police Department, who have carried
15 out and continue to carry out a course of conduct which has
16 suppressed and continues to suppress important, valuable and
17 relevant information concerning the investigation into the murder
18 of Senator Robert F. Kennedy by said Police Department, and which
19 has and continues to deprive the citizens and residents of the
20 State of California of the full and uncensored information con-
21 cerning the assassination of Senator Robert F. Kennedy.

22 CPD/F X

23 Defendant Los Angeles Police Officer O'STEEN is presently
24 employed by the Los Angeles Police Department and on and from
25 June 5, 1968 through the investigation and trial of Sirhan Bishara
26 Sirhan made investigations and reports regarding the murder of
27 Senator Robert F. Kennedy and made investigations into a possible
28 conspiracy with the Los Angeles Police Department "Conspiracy

1 Team".

2 Sued individually and in his capacity and as a representa-
3 tive of the members of the Police Department, who have carried
4 out and continue to carry out a course of conduct which has
5 suppressed and continues to suppress important, valuable and
6 relevant information concerning the investigation into the murder
7 of Senator Robert F. Kennedy by said Police Department, and which
8 has and continues to deprive the citizens and residents of the
9 State of California of the full and uncensored information con-
10 cerning the assassination of Senator Robert F. Kennedy.

11 XI

12 Pursuant to the policies set forth in Government Code
13 Section 54950, as aforesaid, plaintiff, as a resident of the
14 State of California, and all of the people of the State of
15 California, are entitled to know all the facts and evidence un-
16 covered by the defendant LOS ANGELES POLICE DEPARTMENT and the
17 investigation of its "Background/Conspiracy Team" under the
18 leadership of defendant ROBERT A. HOUGHTON, and all the facts and
19 evidence within the knowledge of JOSEPH P. BUSCH, JR. and the
20 office of the District Attorney in connection with the death of
21 Senator Kennedy and with the trial of Sirhan Bishara Sirhan and
22 all the facts and knowledge of EVELLE J. YOUNGER and the office
23 of the Attorney General related thereto and all the records, facts
24 and evidence utilized, uncovered and retained by Los Angeles
25 Police Department Officers M. J. McGANN, and Los Angeles Police
26 Department Officer O'STEEN.

27 XII

28 Pursuant to the policies set forth in Government Code

1 Section 54950, as aforesaid, plaintiff, as a resident of the State
2 of California, and all of the people of the State of California,
3 is entitled to know all of the facts, location, use and evidence
4 uncovered by the Los Angeles Police Department in connection with
5 an historical document, namely, a tape recording of one, John
6 Fahey whose testimony was recorded by Fernando Faura on June 12,
7 1968 and which was subsequently given to the Los Angeles Police
8 Department, specifically officers M.J. McGANN and O'STEEN for use
9 in the Los Angeles Police Department's investigation into the
10 conspiracy to murder Senator Robert F. Kennedy, specifically for
11 use of the "Background/Conspiracy Team"; the aforesaid tape
12 recording was never returned to Fernando Faura and the Los Angeles
13 Police Department has continued to refuse to return it and to
14 suppress evidence of the whereabouts of the tape recording of one,
15 John Fahey, who testified, on June 6, 1968, to Special Agents
16 Lloyd D. Johnson and Eugene R. McCarthy of the Federal Bureau of
17 Investigation as evidenced on Federal Bureau of Investigation
18 report file "Los Angeles 56-156 June 6, 1968" particularly set forth
19 in Exhibit "A" attached hereto and made a part hereof, and also
20 on June 12, 1968 to newsman Fernando Faura as evidenced by the
21 aforementioned tape recording made by Fernando Faura and subsequent-
22 ly, in good faith, given for reproduction only to Los Angeles
23 Police Officers M.J. McGANN and O'STEEN on June 14, 1968, at or
24 about 2:00 P.M. at 150 S. Los Angeles Street, Los Angeles, Calif-
25 ornia; He testified that he had spent the entire day of June 4, 1968
26 with a girl not yet identified by name but later identified as the
27 "elusive girl in the polka-dot dress" and that she had made
28 direct representations and direct inferneces that a conspiracy

1 had been planned to murder Senator Robert F. Kennedy later on
2 that same day and had invited him to attend to witness the murder
3 at the Ambassador Hotel at his "winning reception"; plaintiff and
4 the people of the State of California under the aforementioned
5 Government Code Section 54950 are entitled to know why this
6 evidence was suppressed and why the tape has been confiscated.

7 XIV

8 The suppressed facts, information and evidence all tend
9 to disprove the conclusion by defendants, and each of them, that
10 Senator Robert F. Kennedy was killed by a lone assassin, identified
11 as Sirhan Bishara Sirhan acting alone; disprove the conclusion
12 by defendants, and each of them that there was and is no evidence
13 of a conspiracy that conspired and planned to assassinate Senator
14 Robert F. Kennedy on June 5, 1968; disprove the conclusion by
15 defendants, and each of them, that Sirhan Bishara Sirhan was not
16 a member of a conspiracy to assassinate Senator Robert F. Kennedy;
17 and disprove the conclusion by defendants that no persons other
18 than Sirhan Bishara Sirhan were in the Ambassador Hotel in Los
19 Angeles on June 4, 1968 with the intent to assassinate Senator
20 Robert F. Kennedy.

21 XV

22 The suppressed facts and evidence hereinabove referred
23 to include the following:

24 A. A tape recording of one, John Fahey, a male adult,
25 was confiscated by the Los Angeles Police Department from Fernando
26 Faura on June 14, 1968 at or about 2:00 P.M. at 150 S. Los Angeles
27 St. in Los Angeles, California by officers M. J. McGANN and
28 O'STEEN under a pretense of merely wanting to reproduce the tape

1 for use in their investigation into the murder of Senator Robert
2 F. Kennedy. John Fahey had previously been interviewed by the
3 Federal Bureau of Investigation on June 6, 1968 as evidenced by
4 Federal Bureau of Investigation report "Los Angeles 56-156" dated
5 June 6, 1968 by Special Agents Lloyd D. Johnson and Eugene B.
6 McCarthy as more particularly set forth in Exhibit "A" attached
7 hereto and made a part hereof. The tape recording by Fernando
8 Paura has special historical significance because it involved the
9 murder of Senator Robert F. Kennedy and also because in his
10 statement John Fahey alleged that a girl who he had met at the
11 Ambassador Hotel on the morning of June 4, 1968 had told him
12 through direct inference that Senator Robert F. Kennedy was the
13 target of a conspiracy that had planned some action later on that
14 night at his "winning reception". Thus direct evidence of a
15 conspiracy was given to the Los Angeles Police Department which was
16 and is suppressed.

17 B. The evidence introduced by the office of the District
18 Attorney of Los Angeles County during the trial of Sirhan Bishara
19 Sirhan was an attempt to show that Sirhan Bishara Sirhan acted as
20 a lone assassin and that he was not a member of a conspiracy to
21 assassinate Senator Robert F. Kennedy. In fact, at least 6 persons
22 including Sandy ~~Serrano~~ (Exhibit "B" attached hereto and made a
23 part hereof), Susan ~~Locke~~ (Exhibit "C" attached hereto and made a
24 part hereof), George ~~Green~~ (Exhibit "D" attached hereto and made a
25 part hereof), Booker ~~Griffin~~ (Exhibit "E" attached hereto and made
26 a part hereof), Vincent ~~De Pierro~~, as evidenced on Page 105, 107
27 and 108 of Grand Jury transcript A-233421, Evan Phillip ~~Freed~~
28 (Exhibit "F" attached hereto and made a part hereof, all positively

1 recall a girl in a "polka-dot dress" at the Ambassador Hotel in
2 the kitchen hall area just before and after the murder of Senator
3 Robert F. Kennedy. This girl in the "polka-dot dress" was
4 independently mentioned and described by the aforementioned
5 persons in reports to the Los Angeles Police Department and in
6 the Grand Jury proceeding against Sirhan Bishara Sirhan. A girl
7 in a polka-dot dress was identified by at least one of the afore-
8 said witnesses to be the same girl that John Fahey had met earlier
9 on June 4, 1968 at the Ambassador Hotel and who had made represent-
10 ations of her knowledge and implications of a conspiracy to murder
11 Senator Robert F. Kennedy at his "winning reception". At least
12 two persons, namely, Sandy Serrano and Albert V. Ellis heard
13 a girl say "we shot him" immediately after the shooting. Thus,
14 based upon John Fahey's allegations and the remaining six persons'
15 testimony and reports, evidence of a conspiracy is extremely likely.
16 The Los Angeles Police Department is in possession of the
17 statements of all of the aforementioned persons and has evidence
18 of the conspiracy to murder Senator Robert F. Kennedy.

19 C. At least one person saw Sirhan Bishara Sirhan two (2)
20 days before the murder of Senator Robert F. Kennedy at the
21 Ambassador Hotel in disguise with at least two other men. This
22 witness, Mrs. Gallegos, a Kennedy campaign worker at the Ambassador
23 Hotel made positive identification of Sirhan Bishara Sirhan from
24 photographs and indicated she saw Sirhan Bishara Sirhan in a cook's
25 white smock disguise with two other men two days before the murder.
26 At least two persons, namely, Gregg Clayton, a Rafferty campaign
27 worker, saw three to four men on the night of the murder with a
28 man he believes to be Sirhan Bishara Sirhan and a girl and, in fact,

1 Pam Russo, another Rafferty worker, supports this testimony. Thus
2 there is direct evidence that three persons could have seen
3 other persons in the company of Sirhan Bishara Sirhan just prior
4 to the murder of Senator Robert F. Kennedy and again the girl
5 in the "polka-dot dress" and these avenues have not been investi-
6 gated. The Los Angeles Police Department has refused to investi-
7 gate this evidence of a possible conspiracy to murder Senator
8 Robert F. Kennedy.

9 D. There are discrepancies in reports made by investigat-
10 ing officers which indicate fabrication of evidence, suppression
11 of evidence and evidence not thoroughly investigated or pursued
12 to an end result.

13 I.) As indicated on Los Angeles Police Department
14 progress report/conspiracy team #S-48 as reported on September 20,
15 1968; a Mr. Woo made a statement that he had "last" seen John
16 Fahey with Fernando Faura on May 15, 1968, at least 20 days before
17 the murder of Senator Robert F. Kennedy, as more particularly
18 described on page 5 of Exhibit "C" attached hereto and made a part
19 hereof. Yet, Mr. Fernando Faura was never contacted regarding this
20 allegation that John Fahey was seen with Fernando Faura before
21 the murder. The police department expended considerable time
22 and expense investigating John Fahey and the possible conspiracy
23 and it would seem likely that they would have at least contacted
24 Fernando Faura if they had evidence that John Fahey was lying or
25 that Fernando Faura was lying and/or presenting a false witness
26 to the police; yet, as late as September 19, 1968, John Fahey
27 was still being contacted by the Los Angeles Police Department
28 as evidenced by Los Angeles Police Department tape interview

1 E29285, Number I-622, made by Sgt. Alexander with John Fahey
2 (see Exhibit "H" attached hereto and made a part hereof). This
3 valuable testimony of Mr. Woo, either fabricated or real in fact
4 should have been thoroughly investigated regarding the credibility
5 of John Fahey, the witness presented to the Los Angeles Police
6 Department by Fernando Faura. The Los Angeles Police Department
7 Progress Report of the Background/Conspiracy Team #S-48 dated
8 June 20, 1968 indicated also that John Fahey sought out newsman
9 Fernando Faura at the Hollywood Citizen Newspaper office on June
10 12, 1968 for the purpose of relating his incident with the girl
11 and his knowledge of her representations on June 4, 1968 which
12 had become reality the following day of June 5, 1968. Thus, there
13 is a contradiction in John Fahey's actions that should have been
14 pursued.

15 2.) Albert V. Ellis, in a Federal Bureau of Investi-
16 gation File # Los Angeles 56-156 dated June 14, 1968 as dictated
17 by Special Agent Robert F. Bickard on June 17, 1968 allegedly
18 identified a snapshot or photograph of Sirhan Bishara Sirhan as
19 a man he had earlier seen at the Ambassador Hotel on the night
20 of the murder of Senator Robert F. Kennedy; yet, Los Angeles
21 Police Department Report I-1364, dated August 22, 1968 by officers
22 Shaw and Harris indicates that Ellis had never before been shown
23 a photograph or snapshot of Sirhan Bishara Sirhan as more particu-
24 larly described in Exhibit "I" attached hereto and made a part
25 hereof. Thus, we have a fabrication and/or discrepancy in two
26 official reports.

27 3.) In Los Angeles Police Department Report I-622

28 //

//

//

1 by officer H. Hernandez a progress report of the Background/
2 Conspiracy Team, an itinerary of Mr. John Fahey's activities of
3 June 4, 1968 is listed as was given by John Fahey to his employer
4 to account for his contacts as a salesman during the day in order
5 to cover his activities with the "girl", aforementioned, that he
6 had met at the Ambassador Hotel and with whom he had spent the
7 entire day (Exhibit "J" attached hereto and made a part hereof);
8 yet, only one contact on John Fahey's employer's itinerary indica-
9 ted that she had seen John Fahey on that day of June 4, 1968,
10 (page 6 of Exhibit "G" attached hereto and made a part hereof).
11 The remaining six contacts all listed by name and location were
12 not mentioned in the Police Report as to whether they were contact-
13 ed and, if so, as to their verification of contact with John Fahey
14 on June 4, 1968. Thus, it appears that there was a failure to
15 thoroughly investigate John Fahey's activities on June 4, 1968.
16 Yet, an independent polygraph test, as more particularly described
17 in Exhibit "K" attached hereto and made a part hereof, upheld the
18 basic premise of John Fahey that he had spent the day with the
19 "girl". If the Los Angeles Police Department in their polygraph
20 test as indicated in "conspiracy team report I-622" proved
21 positive(see Exhibit "G" attached hereto and made a part hereof)
22 then this direct evidence of a conspiracy should have been
23 brought forward and not suppressed; yet, if the test was negative,
24 why was John Fahey contacted as late as September 19, 1968, as
25 evidenced by report I-622 by Sgt. Alexander on tape interview
26 #29285 by the Los Angeles Police Department (see Exhibit "H"
27 attached hereto and made a part hereof)? John Fahey's statements
28 and his direct evidence of a conspiracy were suppressed and his

1. testimony was ineffectively discredited.

2. *CLIFF* 4.) Jesus Perez, an employee of the Ambassador Hotel
3. related his version of the events just before the murder of
4. Senator Robert F. Kennedy and his discussion with Sirhan Bishara
5. Sirhan in the kitchen area of the Hotel to the Los Angeles Police
6. Department officers Sgt. Calkins and Sgt. McGANN as evidenced by
7. tape #28929, transcript #13, dated June 5, 1968; page three of
8. that report is missing and was not available at the time of the
9. trial of Sirhan Bishara Sirhan. Page two indicates that his
10. testimony on page three very likely concerned the presence of a
11. pretty "girl" in the kitchen area with Sirhan Bishara Sirhan and
12. his later testimony definitely indicates a "girl" in the kitchen
13. area with Sirhan Bishara Sirhan. It is likely that page three
14. contained evidence of a "girl" with Sirhan Bishara Sirhan, her
15. description and the type of dress. The Grand Jury transcript,
16. #A-233421 titled the Grand Jury of the County of Los Angeles vs.
17. Sirhan Bishara Sirhan on page 73 indicates that Jesus Perez,
18. Sirhan Bishara Sirhan and some other men made reference to a "girl"
19. with them or in the kitchen hall area. Thus, there is missing
20. evidence which may be very conclusive of the "girls" identity, as
21. to the "mysterious girl in the polka-dot dress" and as to her
22. association with Sirhan Bishara Sirhan which would tie-in directly
23. with the testimony of the six aforementioned persons and also
24. tie-in directly with the allegations of John Fahey and to prove
25. the conspiracy to murder Senator Robert F. Kennedy on June 5, 1968.

26. 5.) Evidence suppressed or discredited includes John
27. Fahey's observations, Sandy Serrano's observation, Susan Locke's
28. observations, George Green's observations, Booker Griffin's

1 observations, Albert V. Ellis's observations, Vincent DiPierro's
2 observations, Pam Russo's observations, Evan Phillip Freed's
3 observation, Mrs. Gallego's observations and observations of the
4 girl in the "polka-dot dress" and her association with John Fahey
5 the day of the murder, her association with at least three men,
6 one of which appeared to be Sirhan Bishara Sirhan, at the
7 Ambassador Hotel on the night of the murder, and of at least
8 two men seen two days prior to the murder of Senator Robert F.
9 Kennedy, disguised in cook's uniforms, one of which was identified
10 as Sirhan Bishara Sirhan. The aforementioned direct evidence and
11 circumstantial evidence certainly lead to the conclusion that it
12 is unlikely that Sirhan Bishara Sirhan was acting as a "lone
13 assassin".

14 6.) John Fahey's testimony was discredited through
15 the use of ambiguous questions on the polygraph test of September
16 5, 1968 made by the Los Angeles Police Department as described on
17 Los Angeles Police Report I-622 (see Exhibit "G" attached hereto
18 and made a part hereof); whereas a prior independent polygraph
19 test on August 20, 1968, (see Exhibit "K" attached hereto and made
20 a part hereof), upheld the truthfulness of his allegations and the
21 content of Exhibit "A" as hereinattached.

22 7.) On August 19, 1968, Jordan Bonfante, Life
23 Magazine Los Angeles Bureau Chief and Fernando Faura interviewed
24 Jan Page, a waitress at Trancas Restaurant on Pacific Coast Highway,
25 North of Malibu, California, at which time she indicated she did
26 observe a man and a woman, whom plaintiff alleges to be John Fahey
27 and the "polka-dot girl", enter the restaurant, order something
28 and then leave. The "girl" with John Fahey was independently

1 described by Jan Page as the "girl" matching John Fahey's indepen-
2 dent description of the "girl" and also Jan Page's description
3 supported the aforementioned six persons descriptions of the
4 "girl in the polka-dot dress" aforementioned. The interview was
5 made by Fernando Faura and Jordan Bonfante, Life Magazine Bureau
6 Chief in Los Angeles in order to verify John Fahey's allegations
7 that he had been with the "girl" on June 4, 1968 at Trancas
8 Restaurant. A second contact on June 22, 1968 with Jan Page
9 indicated that she no longer wished to discuss the matter with
10 Fernando Faura and Jordan Bonfante after a discussion she had with
11 the Los Angeles Police Department. Thus, her testimony to support
12 John Fahey's allegations was suppressed and it is reasonable to
13 assume that the Los Angeles Police Department influenced her
14 co-operation and original willingness to give information.

15 XVI

16 Defendants, and each of them, deliberately, intentionally
17 and knowingly suppressed the facts and evidence referred to in
18 Paragraph XV above from the People of the State of California by
19 not presenting it to the grand jury or at the trial of People vs.
20 Sirhan, or disclosing said facts and evidence in an appropriate
21 and impartial manner. By the suppression of said facts, evidence,
22 reports and data from the People of the State of California by
23 the defendants, and each of them, the plaintiff and other citizens
24 and residents of the State of California were prohibited from
25 being fully informed and were told only what said defendants
26 decided was good for them to know.

27 XVII

28 Plaintiff is informed and believes, and therefore alleges,

1 that defendants are in the possession of many other facts which
2 disprove the "lone assassin" theory put forth by the defendants
3 at the trial of People vs. Sirhan, but that defendants have re-
4 pressed these facts from the People of the State of California,
5 and that evidence of a conspiracy can be proven with the aforesaid
6 suppressed facts and evidence.

7 XVIII

8 The repression of the facts and evidence set forth herein,
9 but not limited to that set forth herein, is contrary to the policy
10 of the State of California as expressed in Government Code Section
11 54950, and is a violation of the public trust.

12 XIX

13 The true names or capacities, whether individual, corporate,
14 associate or otherwise, of defendants named herein as DOES I
15 through XX, inclusive, are unknown to plaintiff, who therefore sues
16 said defendants by such fictitious names, and plaintiff will amend
17 this Complaint to show their names and capacities when same have
18 been ascertained. Each of said DOES named herein has been respon-
19 sible in some manner for suppressing facts and evidence and depriv-
20 ing the People of the State of California from full and uncensored
21 information.

22 WHEREFORE, plaintiff, on behalf of himself and all other
23 citizens and residents of the State of California, prays for
24 judgment as follows:

25 1. That defendants, and each of them, be enjoined from
26 determining what is good for the people to know and what is not
27 good for them to know, and be ordered to disclose and make public
28 all the facts and evidence revealed by their investigation into

1 the murder of Senator Robert F. Kennedy.

2 2. That defendants, and each of them, particularly the
3 Los Angeles Police Department, Los Angeles Police Officers McGANN
4 and O'STEEN be ordered to report fully and fairly to the people
5 of this State, the use and whereabouts of an historical tape
6 recording made by Fernando Faura of John Fahey on June 12, 1968
7 and which was subsequently released to the above defendants for
8 their duplication and use in the investigation into the murder
9 of Senator Robert F. Kennedy; that said historical tape recording
10 be returned to Fernando Faura.

11 3. That a State Grand Jury be convened for the purpose
12 of fully, fairly, dispassionately, openly and diligently investi-
13 -gating and reporting on the assassination of Senator Robert F.
14 Kennedy; to resolve all questions and issues regarding the con-
15 spiracy to assassinate Senator Robert F. Kennedy and to dispel
16 the theory that Sirhan Bishara Sirhan was acting alone.

17
18 DATED: August 28, 1971

19 /s/ Richard A. Rocha
20 RICHARD A. ROCHA
21 Attorney for Plaintiff
22
23
24
25
26
27
28

FBI

Date: 10/29/71

Transmit the following in _____
(Type in plaintext or code)Via A I R T E L _____
(Priority)

TO: DIRECTOR, FBI (62-587)
FROM: SAC, LOS ANGELES (56-156) (P)
SUBJECT: KENSALT)

RE ALLEGATIONS REGARDING ERROR
IN BALLISTIC TEST IN SIRHAN CASE

Re LA airtel to Bureau 10/19/71.

Subsequent to release of report by Los Angeles County District Attorney JOSEPH P. BUSCH regarding findings concerning ballistics test on SIRHAN case, results of investigation by Los Angeles PD (LAPD) Board of Inquiry were made public.

News article in "Los Angeles Times", dated 10/20/71, sets forth LAPD Board of Inquiry told Los Angeles Police Chief EDWARD M. DAVIS that they had found no foundation to the theory that anyone besides SIRHAN B. SIRHAN was involved in the assassination of Senator ROBERT F. KENNEDY.

The three man police board attributed the "alternate assassin" theory to "conspiracy buffs", who they said will be constantly attempting to document their beliefs.

2 - Bureau
2 - Los Angeles

AOR/lme
(4)

EX-115

REC-53

NOV 1 1971

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

LA 56-156

Both the police and District Attorney's probes were launched when Attorney [redacted] accused PD Criminalist [redacted] of mishandling the ballistics investigation of the KENNEDY assassination.

b6
b7c

While BUSCH's investigated only the charges pertaining to the KENNEDY assassination, the police board investigated two additional murder cases in which [redacted] had testified.

As with BUSCH's probe, the police board conceded there was a clerical error in the labeling of one evidence envelope during the SIRHAN trial. Board said it found no evidence of any errors in the other two cases.

The board was made up of Assistant Chief JACK G. COLLINS, Deputy Chief JOHN A. MC ALLISTER and Commander GEORGE N. BECK.

FBI

Date: 10/19/71

Transmit the following in _____
(Type in plaintext or code)Via A I R T E L _____
(Priority)

TO: DIRECTOR, FBI (62-587)
 FROM: SAC, LOS ANGELES (56-156) (P)
 SUBJECT: KENSALT

RE ALLEGATIONS REGARDING ERROR IN
 BALLISTIC TESTS IN SIRHAN CASE

Re LA airtel to Bureau 7/29/71.

Enclosed for the Bureau is a statement of JOSEPH P. BUSCH, District Attorney, County Los Angeles, concerning allegations of improper procedures by Los Angeles PD (LAPD) Criminalist [redacted] in the SIRHAN case, dated 10/18/71.

Also enclosed for the Bureau is a report of District Attorney BUSCH concerning allegations of improper procedures by LAPD Criminalist [redacted] in the SIRHAN case, dated 10/18/71.

Above information appeared in Los Angeles press 10/18/71. This concludes this aspect of investigation by the District Attorney's Office in the SIRHAN case.

② - Bureau
 2 - Los Angeles

AOR/lme
 (4)

ENCLOSURE
 ENCLOSURE ATTACHED

REC 16

587-1278

OCT 20 1971

ed: 417
 Special Agent in Charge

Sent _____ M Per _____

2 enclosures to Bureau
to go with Los Angeles report, letter
dated _____ described as

Re: KENSALT
Los Angeles file number 56-156
Bureau file number 62-587

ENCLOSURE

62-587-1278

STATEMENT
of

JOSEPH P. BUSCH
District Attorney, County of Los Angeles

CONCERNING ALLEGATIONS OF IMPROPER PROCEDURES
BY LOS ANGELES POLICE DEPARTMENT CRIMINALIST
DE WAYNE WOLFER IN THE SIRHAN CASE

October 18, 1971

On May 28, 1971 -- almost three years after Senator Robert F. Kennedy was mortally wounded in the kitchen pantry at the Ambassador Hotel -- attorney Barbara Warner Blehr sent a letter to the City Civil Service Commission charging that Los Angeles Police Department criminalist DeWayne Wolfer improperly conducted ballistics tests in connection with the trial that led to the conviction of Sirhan Bishara Sirhan for the Senator's murder.

On June 4, 1971 -- after conferring with Police Chief Edward Davis -- I initiated an investigation into Mrs. Blehr's charges. I did so because I felt it incumbent on my office to conduct an independent investigation so there would be no loss of confidence on the part of the public as to whether the facts as presented in the courtroom were correct.

When I undertook this investigation, I felt we could complete our review of the charges against Mr. Wolfer in a few weeks. As you know, my time estimate was overly optimistic and twice we had to postpone making this report to the public.

Basically, the additional time required to complete the investigation was necessitated by our discovery that the integrity of the trial exhibits had not been properly protected by the County Clerk's Office.

We presented evidence of the distressingly lax handling of the trial exhibits to the County Grand Jury, and on August 25, 1971, the Grand Jury sent a letter to the Board of Supervisors sharply criticizing the County Clerk's Office for allowing violations of a continuing Superior Court order which set forth the manner in which the exhibits were to be protected.

We then resumed our investigation into the allegations made in the Blehr letter, and we have reached the conclusion that the charges made against Mr. Wolfer are untrue. Our findings show he did not violate proper ballistics procedures in the Sirhan trial.

The investigation revealed only that Mr. Wolfer made a clerical error in labeling the trial exhibit envelope containing three bullets test-fired by him from the gun wrenched out of Sirhan's hand at the assassination scene.

The mislabeled envelope in no way detracts from the salient reality that the murder verdict returned was just and correct. It should be pointed out that the conviction

of Sirhan was the result of a massive six-month investigation which involved interviews of more than a thousand persons and the efforts of more than 75 investigators. The trial itself lasted 17 weeks and filled 31 volumes with 9,063 pages of testimony.

I would like to make some personal comments at this point. During the past four months, I took the unusual action of completely reviewing the evidence of a murder which was committed three-and-a-half years ago before the eyes of many people. I took this step as District Attorney because of the special nature of this event as a stifling public tragedy. A measure of its impact is the continuing and fruitless search by many persons to find a more rational basis for this senseless act.

On April 17, 1969, twelve citizens sat in a jury box and found Sirhan Bishara Sirhan guilty of murder. At that time I was personally convinced of the rightness of that verdict. Now, two-and-a-half years later, I still am totally convinced beyond any doubt that Sirhan Bishara Sirhan killed Senator Robert F. Kennedy.

-oOo-

REPORT OF DISTRICT ATTORNEY

JOSEPH P. BUSCH

concerning allegations of improper procedures
by Los Angeles Police Department criminalist
DeWayne Wolfer in the Sirhan case

October 18, 1971

PREFACE

On April 17, 1969, Sirhan B. Sirhan was convicted of the murder of Senator Robert F. Kennedy. The conviction was the result of a six-month investigation which involved interviews of more than 1,000 persons and the efforts of more than seventy-five investigators. The trial itself lasted 17 weeks and fills 31 volumes with 9,063 pages of testimony.

BACKGROUND

Three years after the murder of Senator Kennedy on June 5, 1968, Los Angeles attorney Barbara Warner Blehr sent a letter to Muriel M. Morse, General Manager, Personnel Department, Los Angeles City Civil Service Commission. This letter, dated May 28, 1971, alleged that Los Angeles Police Department criminalist DeWayne Wolfer acted improperly in conducting ballistics tests and in testifying concerning evidence in the Sirhan case. Mrs. Blehr based her allegations on Mr. Wolfer's alleged violation of four basic criminalistic "precepts" in his conduct of

ballistic examinations and in his testimony. The validity of these precepts -- not the validity of Mrs. Blehr's charges -- was attested to by three recognized criminalist experts.

On June 4, 1971, District Attorney Joseph P. Busch announced the initiation of an independent investigation into these charges. He stated, "Since this office was responsible for the prosecution of Sirhan B. Sirhan for the assassination of Senator Kennedy, it is incumbent upon us to conduct the investigation so that there will be no loss of confidence on the part of the public as to whether the facts presented in the courtroom were correct."

FINDINGS

The investigation by the District Attorney has concluded that the allegations of Barbara Warner Blehr concerning the procedures of DeWayne Wolfer in the Sirhan case are untrue. They appear to be the result of inadequate examination of the trial record and incomplete investigation of the actions of Mr. Wolfer during this case.

CONDUCT OF THE INVESTIGATION

To assure thorough examination of the charges leveled by Mrs. Blehr, the District Attorney's Office interviewed

DeWayne Wolfer, Mrs. Blehr, William Harper (whom she named as her chief criminalist source), the three criminalists cited in her letter to the Civil Service Commission, eye-witnesses to the shooting in the pantry of the Ambassador Hotel (who had been previously interviewed), and other persons who claimed special knowledge of the incident. Thousands of pages of trial transcript were reviewed. And, attention was directed to the exhibits -- namely, the bullets -- which were called into question by Mrs. Blehr's charges.

CONDITION OF THE EXHIBITS

When the District Attorney's Office turned its attention to the exhibits, it discovered that serious questions surrounded the handling of Sirhan trial exhibits by the Los Angeles County Clerk's Office.

These questions were sufficient to suspend further investigative activity pending a Grand Jury inquiry into the Clerk's handling of the exhibits. Among the most serious of these questions was the violation of a continuing Superior Court order setting forth the manner in which this evidence was to be handled.

In a letter to the Board of Supervisors dated August 24, 1971, the Grand Jury expressed serious concern about the operations of the County Clerk's Office and stated:

"Because the exhibits under the custody of the County Clerk's Office were handled, examined and photographed by unauthorized persons and mishandled by County Clerk exhibit personnel, there exists a reservation on the part of the 1971 Los Angeles County Grand Jury relating to the present integrity of the ballistics exhibits which were introduced into evidence both during the Grand Jury presentation on June 7, 1968, and during the subsequent trial of the defendant Sirhan B. Sirhan. Since this evidence is presently out of the jurisdiction of Los Angeles County, we are unable to substantiate these reservations."

Following the District Attorney's extensive investigation into the handling of the exhibits and the Grand Jury inquiry, the investigation into Mrs. Blehr's charges continued.

SUMMARY

The basic errors in the Blehr allegations stem from two related incidents:

(1) L.A.P.D. criminalist DeWayne Wolfer mislabeled the envelope which was received in court as People's Exhibit No. 55. The envelope contained three bullets test-fired by Mr. Wolfer from the gun taken from Sirhan B. Sirhan (Serial No. H53725). Mr. Wolfer mistakenly labeled the envelope with the serial number H18602. The latter is the serial number of an Iver-Johnson .22 calibre cadet model gun -- the same make and model as the weapon seized from Sirhan -- which Mr. Wolfer used for other Sirhan case tests on June 11, 1968, five days after he tested the Sirhan weapon.

On June 6, 1968, Mr. Wolfer recovered seven bullets which were test-fired into a water tank from the Sirhan gun (H53725). All seven bullets were compared with the bullet removed from the sixth cervical vertebra of Senator Kennedy. After making these comparisons, Mr. Wolfer positively identified the Sirhan gun as having fired the bullet removed from Senator Kennedy.

Four of the seven test bullets were introduced before the Grand Jury as Grand Jury Exhibit No. 5-B on June 7, 1968. Three of the remaining bullets remained under lock and key in the custody of Mr. Wolfer for comparison with bullets not yet recovered from other Sirhan victims. These were the three bullets which later made up Exhibit No. 55 at the trial in the mislabeled envelope.

(2) Mr. Wolfer conducted two series of ballistic tests. The first was conducted on June 6, 1968, with the gun seized from Sirhan B. Sirhan and the bullets from this test were used to identify the bullets removed from the victims of the crime. The second tests were conducted on June 11, 1968, and Mr. Wolfer used a weapon obtained from the Property Division of L.A.P.D. The use of this weapon (Serial No. H18602) was necessitated by the fact that Sirhan's weapon had been entered in evidence before the Grand Jury and a court order restricted its availability. The second tests were conducted to determine sound

characteristics and to verify muzzle distance by examining gunpowder patterns. This gun was destroyed in July 1969 in accordance with State law.

With the background of these two factors -- the mislabeling of the envelope and the instance of separate tests with separate guns for separate ballistic purposes -- Mrs. Blehr's charges may be examined.

(1) Mrs. Blehr alleges that Wolfer testified that Sirhan's gun -- (Serial No. H53725) fired bullets into three victims and the envelope of Court Exhibit No. 55 indicates that another gun (Serial No. H18602) fired the three bullets removed from the victims. She further alleges that he thus violated the fundamental firearm identification "precept" that "positive identification of an evidence bullet as having been fired from a particular gun and no other must be based on a comparison of the evidence bullet with a test bullet recovered from the same evidence gun and no other."

Our investigation reveals that the first allegation is the result of a mislabeled envelope and not the firing of another gun in the pantry of the Ambassador Hotel on June 5, 1968. Mr. Wolfer,

in fact, identified the bullets removed from three victims by comparing them with test bullets fired from Sirhan's gun.

(2) The second allegation concerned Mr. Wolfer's violation of firearm "precept" number two: "The most accurate and reliable determination of the approximate distance between the muzzle and victim (excluding contact) based on powder pattern distribution must be made with the actual evidence gun and no other. It is also important to use the same make and type of ammunition, preferably from the same batch or lot number. (When the evidence gun is not available, a similar gun may be used but the validity of the test is always more questionable.)"

In making muzzle distance tests -- because of the unavailability of the Sirhan gun -- Mr. Wolfer used a gun of the same make and model (Iver-Johnson .22 calibre cadet) with a relatively close serial number (indicating proximity in time of manufacture) and identical ammunition from the same batch, purchased at the same gun shop where Sirhan purchased his ammunition. In his testimony, Mr. Wolfer insisted on distance tolerances which take into account the fact that he did not have access to the Sirhan gun for the distance test.

Mr. Wolfer's testimony makes it clear that he did not violate "Precept 2" as alleged by Mrs. Blehr.

(3) The third "precept" which Mr. Wolfer allegedly violated states, "The land and groove dimensions (part of the rifling specifications) may be identical or nearly identical between different firearms manufacturers."

Mr. Wolfer's statement in court testimony that "different manufacturers have different rifling specifications" does not contradict the third "precept." He emphasized that his identification of the bullets was based on other more particular characteristics, namely that the imperfections in the barrel of any firearm "produces a series of thousands of scratch marks" on a bullet. And, he relied heavily on these particular characteristics in making his identification -- clearly, attentive to the third "precept" of firearms identification as cited by Mrs. Blehr and clearly refuting this charge.

(4) The final "precept" which Mr. Wolfer allegedly violated states: "Very similar copper coatings are used on many different makes of lead revolver bullets."

In his testimony, Mr. Wolfer did not rely solely on the characteristics of the alloy coating, but on other characteristics as well, to identify the bullets removed from the victims as Mini-Mag ammunition. However, laboratory tests of the alloy and its particular application to the bullets convinced him that it could only be Mini-Mag ammunition.

It should be noted that other evidence was introduced at the trial to prove that Sirhan B. Sirhan purchased such ammunition at the Lock, Stock & Barrel Gun Shop in San Gabriel on June 1, 1968, and that he was seen firing these bullets at the San Gabriel Valley Gun Club range on June 4, 1968.

(5) A subsequent charge by Mrs. Blehr that Mr. Wolfer falsely stated his academic qualifications concerning a course in anatomy have been disproved by an affidavit from the University of Southern California which indicates that the disputed anatomy course simply had a different number when Mr. Wolfer went to college than it does today in the catalogue referred to by Mrs. Blehr.

CONCLUSION

(1) The investigation of the allegations contained in the letter of Barbara Warner Blehr to the Los Angeles City Civil

Service Commission uncovered serious errors in the charges of Mrs. Blehr.

(2) Careful study of these errors and the facts in the situation refute the allegations brought by Mrs. Blehr against DeWayne Wolfer.

(3) The investigation uncovered a clerical error on the part of criminalist Wolfer.

(4) The investigation raised serious questions concerning the present integrity of the exhibits in the Sirhan case because of the handling of the evidence by unauthorized persons while it was in the custody of the Los Angeles County Clerk.

(5) No other relevant facts were uncovered by this investigation.

The evidence is now in the custody of the California Supreme Court in San Francisco. The case of The People of the State of California v. Sirhan Bishara Sirhan is now on appeal before the California Supreme Court with the California Attorney General representing the People and Luke McKissack and Godfrey Isaac for the defense.

Copies of this report will be sent to the Los Angeles County Board of Supervisors, the Attorney General of California, Messrs. McKissack and Isaac, the Los Angeles Police Department.

A copy of the Grand Jury's letter concerning the present integrity of the exhibits will be forwarded to the Chief Justice of the California Supreme Court, which now has custody of the exhibits.

PERSONAL COMMENTS

During the past four months, I took the unusual action, as District Attorney, of completely reviewing the evidence of a murder which was committed three-and-a-half years ago before the eyes of many people. This step was taken because of the special nature of this event as a stifling public tragedy. A measure of its impact is the continuing and fruitless search by many citizens to find a more rational basis for this senseless act.

On April 17, 1969, twelve citizens sat in a jury box and found Sirhan Bishara Sirhan guilty of murder. At that time, I was personally convinced of the rightness of that verdict. Now, two-and-a-half years later, after having completely reviewed the evidence which has been amassed, I still am totally

F B I

Date: 7/29/71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Brennan	CD
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gale	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO: DIRECTOR, FBI (62-587)
 FROM: SAC, LOS ANGELES (56-156) (P)
 SUBJECT: KENSALT

RE: ALLEGATIONS REGARDING ERROR IN BALLISTIC
 TESTS IN SIRHAN CASE.

Re Los Angeles airtel to the Bureau, 7/2/71.

As set forth in referenced communication, JOHN E. HOWARD, Chief Deputy District Attorney of Los Angeles County, advised on 7/2/71, that he did not expect that the investigation into this matter by the District Attorney's Office would be completed for at least one month.

On 7/10 and 7/11/71, articles appeared in the Los Angeles press quoting District Attorney JOSEPH P. BUSCH, JR. to the effect that exhibits from the trial of SIRHAN "have not been properly protected and have been directly handled by numerous persons."

Further, District Attorney BUSCH is quoted "we currently are in the midst of an investigation to determine whether there has been any intentional or unintentional tampering with the key exhibits involved in the trial, including the murder weapon and the bullets taken from the body of Senator KENNEDY."

REC-52 62-587-1269

SI-117

20 AUG 4 1971

② - Bureau
 2 - Los Angeles

AOR/jmb
 (4)

Approved: 204

Sent _____ M Per _____

(Special Agent in Charge)



COUNTY OF LOS ANGELES

OFFICE OF THE DISTRICT ATTORNEY

BUREAU OF INVESTIGATION

524 NORTH SPRING STREET

LOS ANGELES, CALIFORNIA 90012

626-3888

JOSEPH P. BUSCH, JR., DISTRICT ATTORNEY

JOHN E. HOWARD, CHIEF DEPUTY DISTRICT ATTORNEY

GORDON JACOBSON, ASSISTANT DISTRICT ATTORNEY

GEORGE R. STONER, CHIEF

May 5, 1971

J. Edgar Hoover, Chief
Federal Bureau of Investigation
Washington, D. C.

In reply please refer to
Sherwin Podolsky, CPA
Accountant-Auditor, D.A.

Dear Sir:

Our office is currently making a salary study for its Accountant-Auditors who investigate criminal and commercial frauds. Because their positions are so unusual, we respectfully request your assistance in providing information for the study.

We would appreciate information on the following:

- (1) Job descriptions, official titles, and current salary ranges for each level of accounting or auditing positions involved in investigating commercial or criminal frauds
- (2) The minimum requirements for entry to each level of position
- (3) The number of budgeted personnel authorized for each class of positions

In reply please use the enclosed self-addressed stamped envelope. Your assistance is sincerely appreciated.

Very truly yours,

JOSEPH P. BUSCH, JR.
District Attorney

By George R. Stoner
GEORGE R. STONER, Chief
Bureau of Investigation

CALIF

CORRESPONDENCE

Set prepared
RLP:mjb
5-12-71 EX-103
CALIF

jm

REC-21 62-5240-101
7 MAY 13 1971

July 1, 1975

Mrs. Joseph P. ~~X~~ Busch
1619 Chetney Drive
West Covina, California 91790

Dear Mrs. Busch:

My associates and I were indeed sorry to learn of the untimely death of your husband and extend our heartfelt sympathy. We hope you can find solace in the fond memories you treasure of the good times you had together. I want you to know that the thoughts and prayers of all his many friends in the FBI are with you.

May God bless you and your family.

Sincerely,

J. Edgar Hoover

7 JUL 3 1975

1 - Los Angeles
Reurtelcal and Bucal 6-27-75.

NOTE: Mr. Busch was the District Attorney of Los Angeles County. Bufiles indicate nothing derogatory regarding him. He has met the Director on several occasions in connection with the District Attorney's Association.

Assoc. Dir. _____
Dep. AD Adm. _____ (4)
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM ☐

TELETYPE UNIT ☐

b6
b7C

GPO 954-545

Mr. John Jay Herdon

We do maintain a listing of those contributors who do not desire to be expeditiously notified in these instances and your office will be added to this listing. Hereafter, when an individual on whom you have placed a wanted notice is arrested, you will be advised by letter.

also commented in his letter that should you receive a bill for the telegram in question it will be redirected to the FBI for payment. We will accept it and pay for it in your behalf.

b6
b7c

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director



COUNTY OF LOS ANGELES

OFFICE OF THE DISTRICT ATTORNEY

BUREAU OF INVESTIGATION

524 NORTH SPRING STREET

LOS ANGELES, CALIFORNIA 90012

626-3888

JOSEPH P. BUSCH, JR., DISTRICT ATTORNEY

JOHN E. HOWARD, CHIEF DEPUTY DISTRICT ATTORNEY

GORDON JACOBSON, ASSISTANT DISTRICT ATTORNEY

GEORGE R. STONER, CHIEF

May 18, 1971

Mr. Joseph K. Ponder, C.P.A.
Special Agent in Charge
Federal Bureau of Investigation
Third Avenue and 69th Street
New York, New York

In reply please refer to
Sherwin Podolsky, C.P.A.
Accountant-Auditor, D.A.

Dear Sir:

Our office is currently making a salary study for its Accountant-Auditors who investigate criminal and commercial frauds. Because their positions are so unusual, we respectfully request your assistance in providing information for the study.

We would appreciate information on the following:

- (1) Job descriptions, official titles, and current salary ranges for each level of accounting or auditing positions involved in investigating commercial or criminal frauds
- (2) The minimum requirements for entry to each level of position
- (3) The number of budgeted personnel authorized for each class of positions.

In reply please use the enclosed self-addressed stamped envelope. Your assistance is sincerely appreciated.

Very truly yours,

JUN 2 1971

JOSEPH P. BUSCH, JR.
District Attorney

By *George R. Stoner*
GEORGE R. STONER, Chief
Bureau of Investigation

*Let to Bureau of Investigation,
Attn: Podolsky, 5/26/71,*

jm

RGH:611

62-52401-10
ENCLOSURE

1 - Mr. Jenkins *detached*
1 - Mr. Malmfeldt

October 5, 1973

RC
Joseph P. Busch, Esq.
District Attorney of
Los Angeles County
18-709 Criminal Courts Building
210 West Temple Street
Los Angeles, California 90012

O ATTORNEY
LOS ANGELES COUNTY
LOS ANGELES, CALIF

Dear Mr. Busch:

The American Bar Association (ABA) and the International Association of Chiefs of Police are planning a national symposium on the ABA Standards Relating to the Urban Police Function, and the Federal Bureau of Investigation is cooperating in this endeavor. This symposium will be held October 28 - 30, 1973, at the FBI Academy, Quantico, Virginia, and will bring together leading representatives from the criminal justice system. You are most cordially invited to attend and participate in this important project.

The primary objective of this symposium is to develop through discussion groups an acceptable and practical strategy for implementing these ABA Standards as a means of improving the effectiveness and quality of our criminal justice system. As indicated in the attached program, several speakers will be featured.

A representative of the FBI will be in personal contact with you for confirmation of this invitation and to help you make travel arrangements. Expenses incurred relative to your attendance will be paid by the FBI.

I look forward to seeing *you* at the symposium.

Sincerely yours, *62-52401 119*

C. M. Kelley

14 OCT 5 1973

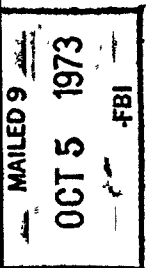
Clarence M. Kelley
Director

TDH:ayr
(6)

SEE NOTE PAGE TWO

MAIL ROOM ☐

TELETYPE UNIT ☐



Assoc. Dir. _____
Asst. Dir. _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

Joseph P. Busch, Esq.

NOTE: Re Jenkins to Callahan memo captioned, "Implementation of Urban Police Standards Prepared by American Bar Association -- International Association of Chiefs of Police Symposium," dated 9/21/73, TDH:jms.

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. _____
Asst. Dir. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

TO : Mr. Walsh *uw*

DATE: October 31, 1973

FROM : T. J. Jenkins *TJ*

SUBJECT: JOSEPH P. BUSCH
DISTRICT ATTORNEY
LOS ANGELES COUNTY, CALIFORNIA

Implementation of Urban Police Standards prepared by the American Bar Association - IACP Symposium was held at the Academy on October 28 through lunch on October 30, 1973. At about 12:45 p.m. on October 30 the captioned individual, while walking on the walkway between the Dining Room Building and the Agents' Dormitory Building, was splashed with hot tar by workers on the roof of the walkway getting on Mr. Busch's head and suit. Mr. Busch was immediately taken to the nurse who advised that he be taken to the Naval Hospital on the Marine Corps Base for emergency treatment. He was taken to the hospital and the tar removed, and it was found that he had a slight burn on his head from the tar. Mr. Busch stated that he didn't think he was hurt by the tar but that it was evident his suit was ruined.

The work was being done on the roof by employees of the Mathy Company, 3900 Pickett Road, Fairfax, Virginia, telephone number 232-0200. I talked to the outside superintendent, [redacted] who advised me that the company will forward the necessary insurance forms to Mr. Busch in Los Angeles and the matter will be taken care of by them. This information has been furnished to Mr. Busch.

I will follow to see that the ~~Stop~~ company carries out its obligations to Mr. Busch in the matter. It is believed that this should be made a matter of record in the Bureau in the event of any pertinent development.

RECOMMENDATION:

Submitted for information.

1 - Mr. J. B. Hyland
TJJ:jms
(4)
55 NOV 15 1973 *non*

2 NOV 8 1973

123001
OCT 31 3 02 PM '73
RECEIVED
DIRECTOR

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 7/31/74

Attn: Office of Legal Counsel

FROM : ADIC, LOS ANGELES (1-916)

SUBJECT: INFORMATION CONCERNING
ACTIVITIES OF LOS ANGELES COUNTY
DISTRICT ATTORNEY'S OFFICE

Attorney - CALIF.

Enclosed find one Xerox copy each of "D.A.'s
REPORT By JOSEPH P. BUSCH, District Attorney", dated 7/19/74,
and "D.A.'S REPORT By JOSEPH P. BUSCH, District Attorney",
dated 7/26/74.

Enclosures disseminated by JAY BERMAN, Press
Secretary, indicate activities of the Los Angeles County
District Attorney's Office which would conceivably be of
interest to the Office of Legal Counsel.

The report of 7/19/74, indicates training films to
be made by the District Attorney's Office, which might be of
interest to the Bureau.

The report of 7/26/74, sets out a recent Court of
Appeal decision, which should be of interest to all Bureau
legal instructors.

The above have been submitted for the information
of the Bureau.

REC 109

62-52401-127

6 AUG 5 1974

ENCLOSURE

3 - Bureau (Enc. 2)
1 - Los Angeles

JKC:jjj
(4)

ENCLOSURE ATTACHED

- 1* -



SEP 9 1974

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

(2) enclosures to Bureau
to go with Los Angeles ~~report~~ letter
dated 7/31/54 described as
2 Reports of OAG's Office

Re: Info Re Activities of LA C. OAG's Office
Los Angeles file number 1-986
file number _____

239

ENCLOSURE

65-52401-127

District Attorney Joseph P. Busch
18000 Criminal Courts Building
210 West Temple Street
Los Angeles, California 90012

July 19, 1974

FOR IMMEDIATE RELEASE

Jay Berman, Press Secretary
974-3528 CALIF

D.A.'S REPORT

By JOSEPH P. BUSCH
District Attorney

The District Attorney's Office is going into the motion picture business.

We have received a grant from the federal government to produce three 30-minute training films which will be shown to incoming deputies in our office and will be available to other agencies which wish to use them.

The objective is to produce a series of films which will aid in the teaching of effective trial skills and techniques. We applied for the grant through the Omnibus Crime Control and Safe Streets Act because we believe there is a great need. This is not something you learn in law school. Prosecutors traditionally have had no training in trial procedure until they actually have gone to court.

The first film, for which Dep. Dist. Atty. Robert Sills of my Planning and Training Division is preparing the script, will deal with direct examination of witnesses. The second will be on the subject of cross examination. The third will include all the nonwitness aspects of a trial, among them opening statements, closing arguments and possibly jury selection.

more

2-2-2

We hope to show new prosecutors through these films such things as how to approach a witness, how to present evidence and how to take the witness through examination.

The questions asked by prosecutors--and we intend to use actual prosecutors, not actors--will not be the sort one often hears on television dramas. They will be realistic from a legal, prosecutorial standpoint. The only dramatization will be the crime which is staged as the basis for the subsequent arrest and court action.

The films will be valuable to this office for use internally and at training seminars sponsored by the Southern California Counties District Attorneys Association, where they will take the place of much longer lectures and thus allow time for workshop discussions of their contents.

They also will be available to other prosecutorial agencies, including police departments. Because they will deal with trial techniques, rather than specific law, they also will be suitable for use in other states.

We will make prints of the films available to these agencies along with written supplementary materials.

The \$108,000 grant covers the production of all three color films. We believe they will be complete sometime during the summer of 1975.

###

District Attorney Joseph P. Busch will answer your questions about his office and about the entire criminal justice system in future columns. Please send your questions to District Attorney's Office, 18000 Criminal Courts Building, 210 West Temple Street, Los Angeles 90012.

###

District Attorney Joseph P. Busch
18000 Criminal Courts Building
210 West Temple Street
Los Angeles, California 90012

July 26, 1974

For Immediate Release

Jay Berman, News Secretary
974-3528

D.A.'s REPORT

By JOSEPH P. BUSCH
District Attorney

A high school or junior high school student who walks around the campus with his pockets bulging can legally be asked by school officials to submit to a search.

A recent Court of Appeal decision clarified this type of case, which in the past few years of increasing drug abuse has become quite common.

In the case in question, a high school vice principal had received anonymous information that a certain student was selling drugs on the campus. He called the student into his office, informed him of his suspicions and told him to empty his pockets, along with a leather pouch he wore on his belt.

The student showed the official \$20 which was in the pouch, but refused to empty his pockets. When the vice principal attempted to search him, the boy resisted.

The vice principal called the juvenile division of the local police department and asked for assistance. The officer who answered the call searched the boy without further resistance and found a large quantity of drugs in his pockets, wrapped in separate packages as though for sale.

more more

2
The boy was made a ward of Juvenile Court, but appealed the order, contending that the search was unlawful because of insufficient probable cause.

The Court of Appeal upheld the search, referring to a section of the Education Code which authorizes school officials to suspend a student for the on-campus sale of narcotics or dangerous drugs. It was the opinion of the Court that this section authorizes school officials to conduct searches of students, and that furthermore such searches are not covered by the rules normally applicable to searches by law enforcement authorities.

The Court ruled that the school officials must have some cause to conduct a search, but not necessarily probable cause. It was specified that, if the officer who discovered the drugs had been conducting a criminal investigation, his conduct would have been improper. But the Court found that the officer was not acting on his own behalf, but at the request of the school officials.

Requests from school officials for police assistance have become commonplace. To come within the broader rules of search, officers must be careful to confine their efforts within the requests of the officials to avoid problems of unreasonable search and seizure. Of course, if after arriving on campus, an officer obtains sufficient probable cause, he may conduct a search based on his own initiative.

###

District Attorney Joseph P. Busch will answer your questions about his office and about the entire criminal justice system in future columns. Please send your questions to District Attorney's Office, 18000 Criminal Courts Building, 210 West Temple Street, Los Angeles 90012.

###



COUNTY OF LOS ANGELES
OFFICE OF THE DISTRICT ATTORNEY
BUREAU OF BRANCH AND AREA OPERATIONS
415 WEST OCEAN BOULEVARD
LONG BEACH, CALIFORNIA 90802
432-0411

JOSEPH P. BUSCH, DISTRICT ATTORNEY
JOHN E. HOWARD, CHIEF DEPUTY DISTRICT ATTORNEY
GORDON JACOBSON, ASSISTANT DISTRICT ATTORNEY

JACK D. CRAVENS, DIRECTOR

May 23, 1975

Federal Bureau of Investigation
Washington D.C.

Attn: Fugitive Desk

Gentlemen:

On January 14, 1975, your special agents [redacted] and [redacted] FBI office New Orleans, pursuant to a federal fugitive warrant, effectuated the arrest of [redacted]. Your agents gave [redacted] extensive constitutional rights and then obtained an excellent, detailed confession from him as to his commission of the crime in Long Beach, California, which was the basis of the federal fugitive warrant.

The defense attorney moved to suppress the confession on several grounds in the California prosecution of [redacted] in case no. [redacted] in the Superior Court of the State of California, for the County of Los Angeles. The defense motion was not successful due to the thorough manner in which the defendant was apprised of his constitutional rights; and the manner in which your agents testified at the hearing to suppress the confession.

The defendant, [redacted] was convicted on May 21, 1975, as charged, of assaults with a deadly weapon by use of a firearm. This conviction carries a penalty of from 5½ years to life in the state prison.

This conviction may well not have been possible without the excellent work of your special agents in the arrest, advisement of rights, obtaining of a complete confession, and testimony in Long Beach, California, in the hearing to suppress the confession and in the jury trial itself.

We appreciate your help and cooperation in the furtherance of our society's interest in its criminal justice system.

Very truly yours,

JOSEPH P. BUSCH
District Attorney

By *Everett L. Carroll*
EVERETT L. CARROLL

COUNTY OF LOS ANGELES
OFFICE OF THE DISTRICT ATTORNEY
305 LONG BEACH COUNTY BUILDING
415 WEST OCEAN BOULEVARD
LONG BEACH, CALIFORNIA 90802

Assoc. Dir. _____
Dep.-A.D.-Adm. _____
Dep.-A.D.-Inv. _____
Asst. Dir.: _____
Admin. _____
Comp./Syst. _____
Ext./Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

EXP-PROC
MAY 27 1975

MAY 27 1975

April 9, 1971

AIRMAIL

62-52401-

Mr. John Jay Ferdon
District Attorney
880 Bryant Street
San Francisco, California 94103

Dear Mr. Ferdon:

On April 6, 1971, this Bureau received a letter from [redacted] Administrative Assistant in your office, enclosing a copy of a telegram which had been dispatched by our Identification Division on March 26, 1971, reporting the arrest of [redacted] stated in his letter that your office was not authorized to accept collect telegrams and requested that future telegrams not be sent collect.

For your information, your office requested that a wanted notice be placed against the fingerprint record of [redacted] on March 6, 1970, for "failure to provide." On March 24, 1971, a fingerprint card was received from Police Department, Hampton, Virginia, reporting the arrest of [redacted] on March 20, 1971, for making false statement to obtain unemployment compensation. This fingerprint card was identified with a prior arrest record of [redacted] maintained under [redacted] in view of your wanted notice which had been placed against this fingerprint record, the collect telegram was sent to your office so that you would be expeditiously advised of the arrest of [redacted] This is the normal procedure used in the Identification Division in responding to contributors who have placed wanted notices in our files. Your office has never advised this Bureau in the past that you do not desire to be notified by expeditious means when an individual is arrested and on whom you have previously placed a wanted notice.

EWW:slp
(3)

NOTE: See memorandum to Mr. Walters from Eugene W. Whitwam dated 4-8-71. EWW:slp

San Francisco - Enclosures (2) - copy of incoming and incoming enc

MAIL ROOM ☐ TELETYPE UNIT ☐

b6
b7C

b6
b7C

ORIGINAL FILED IN 32-972-19192

211W

Rep

✓ [Signature]

Tolson _____
Sullivan _____
Mohr _____
Bishop _____
Breanan, C.D. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Felt _____
Gale _____
Rosen _____
Tavel _____
Tele. Room _____
Holmes _____
Gandy _____

APR 26 1971